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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/399,682 09/21/99 CHOU

K ST9-99-097

TM02/0907  
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WASHINGTON DC 20037-3213

EXAMINER

NGUYEN, T

ART UNIT

PAPER NUMBER

2172  
DATE MAILED:

09/07/01

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner of Patents and Trademarks**

**Office Action Summary**

Application No.

09/399,682

Applicant(s)

VO ET AL.

Examiner

Tam V Nguyen

Art Unit

2172

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)  
2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 4.

- 4) ☐ Interview Summary (PTO-413) Paper No(s) \_\_\_\_.  
5) ☐ Notice of Informal Patent Application (PTO-152)  
6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

2. Claims 1-21 rejected under 35 U.S.C. 102(e) as being anticipated by Chang et al.  
(US 6263342B1)

Re claims 1 and 15, Chang discloses a method of searching for data in one or more heterogeneous data sources within a computer system, the method comprising the step of: receiving a request for data at a federated data source, (Col. 40, lines 38-Col. 43, lines 54 and see fig. 54); and from the federated data source, retrieving data from one or more of one or more terminal data repositories or one or more search gateway data source, (Col. 40, lines 38-Col. 43, lines 54 and see fig. 54).

Re claims 2, 9, and 16, Chang discloses the method of claim 1, wherein each search gateway data source searches for data in one or more other data source, (Col. 40, lines 38-Col. 43, lines 54).

Re claims 3, 10, and 17, Chang discloses the method of claim 1, wherein the federated data source, each terminal data repository, and each search gateway data source in a data object, (Col. 8, lines 44-Col. 9, lines 48).

Re claims 4, 11, and 18, Chang discloses the method of claim 3, wherein each data object is based on a class that inherits the properties of a base data source class, (col. 6, lines 57-68 and Col. 12, lines 13-52).

Re claims 5, 12, and 19, Chang discloses the method of claim 4, wherein each data object is manipulated via methods of the class on which the data object is based, (Col. 8, lines 44-Col. 9, lines 48).

Re claims 6, 13, and 20, Chang discloses the method of claim 1, wherein retrieving data from one or more search gateway data sources comprises submitting an search gateway query from the federated data source to each search gateway data source, (Col. 10, lines 32-Col. 11, lines 11 and see fig. 6).

Re claims 7, 14, and 24, Chang discloses the method of claim 1, wherein each terminal data repository and each search gateway data source may be queried for data directly, (Col. 19, lines 1-Col. 24, lines 67).

Re claim 8, Chang discloses an apparatus for searching for data in one or more heterogeneous data sources comprising: a computer system containing one or more heterogeneous data source, (Col. 13, lines 44-67 and see abstract); and one or more computer programs, performed by the computer system, for receiving a request for data at a federated data source and, from the federated data source, retrieving data from one or more of one or more terminal data repositories or one or more search gateway data source, (Col. 40, lines 38-Col. 43, lines 54).

### **Conclusion**

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Carino, Jr. et al. (US 5930786) shows method and apparatus for providing shared data to requesting client.

Gladney et al. (US 6044373) shows object-oriented access control method and system for military and commercial file systems.

Lomet (US 5806065) shows data system with distributed tree indexes and method for maintaining the indexes.

Muratani et al. (US 6119109) shows information distribution system and billing system used for the information distribution system.

Ecklund (US 4853843) shows system for merging virtual partition of a distributed database.

**Contact Fax Information**

**Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks  
Washington, D.C. 20231

**Or Faxed to:**

(703) 308-9051, (for formal communication intended for entry)

**Or:**

(703) 308-5399, (for informal or draft communications, please label "PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA. Sixth Floor (Receptionist).

**Contact Information**

**4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tam Nguyen whose telephone number is (703) 305-3735. The examiner can normally be reached on Monday through Friday from 7:30 AM to 5:00 PM.**

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Yen Vu, can be reached on (703) 305-4393. The fax phone number for the organization where this application or proceeding is assigned is (703) 308-5399.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4700.

TV: tv

08/22/2001

  
HOSAIN T. ALAM  
PRIMARY EXAMINER